



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112

Toll Free 1-877-601-2828 * E-mail: pdcc@pdcc.wa.gov * Website: www.pdcca.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 06-011
ACTION AGAINST)	
)	Notice of Administrative
Antoni Froehling)	Charges
)	
Respondent.)	
)	

IT IS ALLEGED as follows:

I. JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II. ALLEGATIONS

Staff alleges, based on the facts specified in Section III, that Antoni Froehling has violated RCW 42.17.240 by failing to timely file the annual Statement of Financial Affairs (PDC form F-1) by April 15, 2005. In accordance with WAC 390-37-160 (copy enclosed) this matter is being considered by the full commission.

III. FACTS SUPPORTING ALLEGATIONS

The Respondent, Antoni Froehling, is a School Director in Sumner School District 320, 1202 Wood Avenue, Sumner, Washington, 98390. The Respondent's term of office ends in 2007. **(Exhibit 1)** The Respondent held office during 2004 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2005. On May 10, 2005, the Respondent was sent a letter stating that the F-1 report due by April 15, 2005 had not been received. The letter stated that to avoid the possibility of enforcement, the F-1 needed to be filed by May 23, 2005.



(Exhibit 2) The F-1 report has not been filed. **(Exhibit 3)** The Respondent has held office as a school director in Sumner School District 320 since 1996.

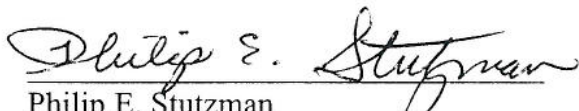
Past History – Since 2000, the Respondent has had three prior violations for failing to timely file a required F-1 report. The prior violations occurred in 2002, 2003 and 2004 as detailed below. The penalty for 2004 remains unpaid. The last F-1 filed by Mr. Froehling was in 2004.

In 2002, Case #02-424, at a brief enforcement hearing held June 4, 2002, the Respondent was found in violation of RCW 42.17.240 for failing to timely file the annual F-1 report and was assessed a penalty of \$150. The penalty has been paid. The F-1 was filed.

In 2003, Case #03-302, at a brief enforcement hearing held June 12, 2003, the Respondent was found in violation of RCW 42.17.240 for failing to timely file the annual F-1 report and was assessed a penalty of \$300. The penalty has been paid. The F-1 was filed.

In 2004, Case #04-625, at a brief enforcement hearing held June 21, 2004, the Respondent was found in violation of RCW 42.17.240 for failing to timely file the annual F-1 report and was assessed a penalty of \$400. The penalty has not been paid. The F-1 was filed.

RESPECTFULLY SUBMITTED this 31st day of August, 2005.


Philip E. Stutzman
Director of Compliance

Exhibits

Exhibit 1	Jurisdiction Card
Exhibit 2	May 10, 2005 Warning Letter
Exhibit 3	Affidavit signed by Jennifer Hansen
Enclosure	WAC 390-37-160

Relevant Statutes

RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts, states in part: “(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year...

RCW 42.17.241 details the content required in each report.

WAC 390-24-010 Forms for Statement of Financial Affairs, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 9/02...”

WAC 390-37-160 Statement of financial affairs (F-1) penalty schedule, states in part that on the fourth occasion (established violation) the matter shall be considered by the full commission.

updated 2/10/05 CB

Jurisdiction	Address	City	County	Zip Code	Jur. Email Address	Preparer	Telephone	Prep. Email Address
SUMNER SD 320	1202 WOOD AVE	SUMNER	PIERCE	98390	marilyn_patten@sumner.wednet.edu	MARILYN PATTEN	253-891-6080	marilyn_patten@sumner.wednet.edu

Officials

Last Name	First Name	Initial	Office	Position	Address	City	Zip Code	Email Address	Year Term Ends
✓ DEMARRE	JEFFREY	W	SCHOOL DIRECTOR	02	17310 33RD ST CT E	SUMNER	98390		2007
✓ FROEHLING	ANTONI	H	SCHOOL DIRECTOR	03	16208 60TH ST E	SUMNER	98390		2007
✓ HANON	GREG		SCHOOL DIRECTOR	04	7311 RIVERSIDE RD E	SUMNER	98390		2007
✓ PAVLIK	JOHN	M	SCHOOL DIRECTOR	01	12924 51ST ST E	EDGEWOOD	983729220		2005
✓ VOILES	SHERMAN		SCHOOL DIRECTOR	05	20808 CHURCH LAKE DR	SUMNER	98390		2005

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17



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May 10, 2005

ANTONI FROEHLING
16208 60TH ST E
SUMNER WA 98390

SUBJECT: Missing Personal Financial Affairs Statement (PDC Form F-1)

Our records indicate that pursuant to RCW 42.17 (the public disclosure law) you were required to file a Personal Financial Affairs Statement by April 15, 2005. A review of your filings confirmed that we have not yet received your F-1 or F-1A report.

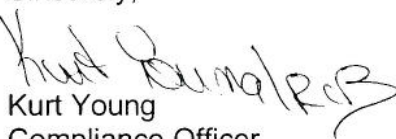
I am enclosing an F-1 and F-1 Supplement form for you to complete and file with the PDC. There are also templates of the F-1, F-1A, and F-1 Supplement that are available at www.pdc.wa.gov, by clicking on "Filer Assistance" and then "Form Templates." The F-1 instruction manual is also available online under "Filer Assistance" and then click on "Manuals."

You may also electronically file your report by visiting our website and clicking on "Electronic Filing," and then on "Personal Financial Affairs Filer." You will be required to establish a user account, file a signature authorization card via U.S. mail, and submit your F-1 report online.

The F-1 report must be completed and filed with the PDC by May 23, 2005. Failure to file your report by that date may result in an enforcement matter being scheduled before the Commission that could result in the assessment of civil penalties.*

If you have already filed the F-1 form in 2005, please contact our office immediately. If you need assistance, please contact **Jennifer Hansen** at **(360) 586-4560**, toll-free at 1-877-601-2828 or by email at jhansen@pdc.wa.gov. Thanks for your prompt attention to this matter.

Sincerely,


Kurt Young
Compliance Officer

Enclosures: F-1 Form and F-1 Supplement Page

* Please note that faxed reports are not accepted.

*"The public's right to know of the financing of political campaigns and lobbying
and the financial affairs of elected officials and candidates far outweighs
any right that these matters remain secret and private."*

RCW 42.17.010 (10)

EXHIBIT 2
Page 1 of 1





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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)

) ss.

AFFIDAVIT OF

County of Thurston)

JENNIFER I. HANSEN

I, Jennifer I. Hansen, being first duly sworn on oath depose and say:

I am a Political Finance Specialist for the Public Disclosure Commission and have been since March 22, 2004.

On August 31, 2005, I personally searched the electronic image files maintained in the offices of the Public Disclosure Commission for the Personal Financial Affairs Statement (PDC Form F-1) of Antoni Froehling and found that, prior to August 31, 2005, no F-1 report, due by April 15, 2005, was filed with the Public Disclosure Commission as required by RCW 42.17.

In the above-described search of the files of the Public Disclosure Commission, I found no requests by Antoni Froehling for a reporting modification or suspension, as authorized by RCW 42.17.370(9) and WAC 390-28 and, to the best of my knowledge, no requests for reporting modifications or suspensions have been received by the Public Disclosure Commission as of this date.

Jennifer I. Hansen

SUBSCRIBED AND SWORN to before me this 31th day of August, 2005.



Philip E. Stutzman
Philip E. Stutzman

NOTARY PUBLIC in and for the state of
Washington.

My commission expires 6-20-07

EXHIBIT 3
Page 1 of 1

WAC 390-37-160 Statement of financial affairs (F-1) penalty schedule.

Status	1st Occasion	2nd Occasion	3rd Occasion	4th Occasion
Failed to file report by date of enforcement hearing.	\$150	\$300	\$500	Full commission consideration
Filed report after hearing notice but before enforcement hearing.				
Did not pay settlement amount.	\$100	\$200	\$400	Full commission consideration
Filed report after hearing notice but before enforcement hearing.				
Provided written explanation or appeared at the hearing to explain mitigating circumstances. Did not pay settlement amount.	\$0 - \$100	\$100 - \$200	\$200 - \$400	Full commission consideration

Provisos:

(1) The presiding officer has authority to suspend all or a portion of relevant penalty under the conditions to be determined by that officer.

(2) If on the 3rd occasion, a filer has outstanding penalties or judgments, the matter will be taken to the full commission for consideration.

(3) The presiding officer may direct a matter to the full commission if the officer believes five hundred dollars would be an insufficient penalty or the matter warrants consideration by the full commission.

(4) If previously imposed penalties remain unpaid and exceed the amount this penalty schedule would otherwise prescribe for the current violation, the presiding officer may impose a penalty not to exceed the amount of the outstanding penalty, up to five hundred dollars.

(5) "Occasion" means established violation. At the 4th occasion, among other factors, the commission may consider if any prior violations and penalties were stipulated to by the respondent, in determining the amount of the penalty.

(6) Cases will automatically be scheduled before the full Commission for an enforcement action when the person:

- (a) Was found in violation during a previous reporting period,
- (b) The violation remains in effect following any appeals, and
- (c) The person has not filed the disclosure forms that were the subject of the prior violation at the time the current hearing notice is being sent.

[Statutory Authority: RCW 42.17.370. 05-04-038, § 390-37-160, filed 1/27/05, effective 2/27/05; 03-22-065, § 390-37-160, filed 11/4/03, effective 12/5/03.]